

**REMARKS**

Claims 1,3, 5-12, 15 and 16 are all the claims pending in the application.

**Claim Objections and Rejections under 35 U.S.C. § 112**

Claims 1, 3, and 5-12 stand rejected under 35 U.S.C. 112, first paragraph, and claims 5 and 6 were objected to for minor imformalities. Applicants have amended the claims in a manner thought to resolve these rejections and objection. These same amendments were presented in Applicants' November 5, 2004 Amendment (not entered). The December 16, 2004 Advisory Action indicates that the amendments presented herein resolve the objections and the 35 U.S.C. § 112 rejections.

**Rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a)**

Applicants thank the Examiner for indicating in the December 16, 2004 Advisory Action that claims 13 and 14 include patentable subject matter. As stated in the Advisory Action, and as discussed with Applicants' representative on November 29, 2004, the Examiner acknowledges that the prior art of record does not teach the use of a separate, fourth bit stream identification (reconfiguration) layer. As such, the Examiner acknowledges that a four-layer protocol is not disclosed by the prior art.

Applicants have amended the claims to more clearly define the four layer protocol. In line with independent claim 13, the other independent claims currently pending have been amended to more clearly recite use of a separate, four-layer protocol including a user layer, a link layer, a bit stream reconfiguration layer, and a physical layer. Accordingly, Applicants respectfully submit that the claims are now in form for allowance.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. Application No. 09/702,736

Attorney Docket No. Q61436

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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